



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/942,071	10/01/97	NOURI	A MNFRAME.045A

LM02/0107  
KNOBBE MARTENS OLSON & BEAR  
620 NEWPORT CENTER DRIVE  
SIXTEENTH FLOOR  
NEWPORT BEACH CA 92660-8016

EXAMINER	
NAJJAR, S	
ART UNIT	PAPER NUMBER
2758	

DATE MAILED: 01/07/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
08/942,071

Applicant(s)  
Nouri et al.

Examiner  
Saleh Najjar

Group Art Unit  
2758



☒ Responsive to communication(s) filed on Oct 1, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-16 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-16 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4 and 6

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

1. This action is responsive to the application filed on October 1, 1997. Claims 1-16 are pending examination. Claims 1-16 represent a method directed toward displaying system status.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Giorgio et al., U.S. Patent No. 5,761,085.

Giorgio teaches the invention substantially as claimed including a method for monitoring environmental parameters at network sites.

As per claim 1, Giorgio teaches the claimed limitation of sending a command for remotely

retrieving or updating system status from a second computer through a remote interface to a first computer using controller 210, interface 64, and station 200N (see figs. 1-2; col. 4).

Giorgio teaches the claimed limitation of executing the command on a micro controller in the first computer using the controllers 212A-212N (see figs. 1-2; col. 6, lines 7-25).

Giorgio further teaches the claimed limitation of sending a retrieve or update system status signal from the micro controller to the first computer thereby retrieving or updating the system status (see col. 8).

As per claim 2, Giorgio teaches the claimed limitation of providing power to the remote interface from a remote interface power supply independent of a first computer power supply (see col. 8).

As per claims 3, and 4, Giorgio teaches the claimed limitation wherein the second computer is at the same location as the first computer and wherein the second computer is at a location remote to the first computer since it is disclosed by Giorgio that controllers 212A-N can be monitored by local site computers 200A-200N or by manager 210 (see col. 4).

As per claim 5, Giorgio teaches the claimed limitation wherein the act of sending the remotely retrieving or updating system status command from the second computer includes the act of connecting a pair of modems, wherein a first modem connects to the first computer and a second modem connects to the second computer (see col. 4, lines 5-15).

As per claim 6, Giorgio teaches the claimed limitation further including the act of providing a response to the second computer through the remote interface based on results of the command (see fig. 5; col. 8).

5. Claims 7-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giorgio et al., U.S. Patent No. 5,761,085.

As per claim 7, Giorgio teaches the claimed limitation of connecting a remote interface to a first computer and a second computer and providing a retrieving or updating system status command at the second computer directed to the first computer (see figs. 1-2; col. 4).

Giorgio does not explicitly teach the claimed limitation of encapsulating the command in a

communications protocol and transmitting the encapsulated command to the remote interface. However, Giorgio discloses that protocols for communicating over various networks may be used in the network of figure 1 (see col. 8; lines 1-10).

“Official Notice” is taken that the concept and advantages of encapsulating a command in communication protocol is notoriously well known in the data communication art and therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Giorgio by encapsulating the command into a communication protocol.

Giorgio further teaches the claimed limitation of communicating the command received by the remote interface to the first computer; and performing the command on the first computer (see col. 8).

As per claim 8, Giorgio teaches the claimed limitation wherein the act of performing the command includes the act of establishing a secure mode in the computer environment (see col. 8, lines 1-15).

As per claims 9, and 10, Giorgio teaches the claimed limitation wherein the act of performing the command includes the act of sending data to a component of the first computer. And wherein the act of performing the command includes the act of requesting data from a component of the first computer (see col. 7-8).

As per claims 11-12, Giorgio teaches the claimed limitation wherein the act of communicating the command includes the act of storing command data in a memory associated with the remote interface and further including the act of providing a response to the second computer through the remote interface based on results of the command (see col. 6-8).

As per claim 13, Giorgio teaches the claimed limitation wherein the act of providing a response includes the act of storing response data in a memory associated with the remote interface (see col. 5-7).

Claims 14-16 do not teach or define any limitation above claims 1-13 and therefore are rejected for similar reasons.

6. The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Glowny et al., U.S. Patent NO. 5,491,791 teaches a system and method for remote workstation monitoring within a distributed computing environment. Ote et al., U.S. Patent No. 5,815,652 teaches a computer management system. Desai et al., U.S. Patent No. 5,781,703 teaches a intelligent remote agent for computer performance monitoring. Cramer et al., U.S. Patent No. 5,307,354 teaches a method and apparatus for remote maintenance and error recovery in distributed data processing networks. Johnson et al., U.S. Patent No. 5,689,637 teaches a console simulator, multi-console management system and console management distribution system. Komori et al., U.S. Patent No. 5,487,148 teaches a method and apparatus for detecting faults in a computer network. Dev et al., U.S. Patent NO. 5,812,750 teaches a method and apparatus for monitoring status of nonpollable devices in a network. Finally, Bonnell et al., U.S. Patent No. 5,655,081 teaches a system for monitoring and managing computer resources and applications.

7. a shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the applicant (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 7:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parsh Lall, can be reached on (703) 305-9715. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding

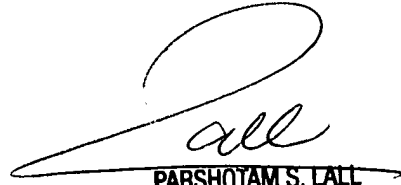
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Art Unit 2758

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should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Saleh Najjar

Examiner Art Unit 2758



PARSHOTAM S. LALL  
SUPERVISORY PATENT EXAMINER